

# **EXHIBIT 4**

<p style="text-align: right;">Page 1</p> <p>NO. 2021-CCL-00597</p> <p>HUGO MEDELLIN, ) IN THE COUNTY COURT  ) )  Plaintiff, ) )  VS. ) ) AT LAW NO. 3  ) )  ARION MORSHEDIAN and ) )  SPACE EXPLORATION ) )  TECHNOLOGIES CORP., ) CAMERON COUNTY, TEXAS</p> <p>*****</p> <p>REMOTE ORAL AND VIDEOTAPED DEPOSITION OF  HUGO MEDELLIN  AUGUST 2, 2022</p> <p>*****</p> <p>REMOTE ORAL AND VIDEOTAPED DEPOSITION of HUGO  MEDELLIN, produced as a witness at the instance of the  Defendants, and duly sworn, was taken in the  above-styled and numbered cause on August 2, 2022,  from 10:59 a.m. to 5:06 p.m., before Heather L. Garza,  CSR, RPR, in and for the State of Texas, recorded by  machine shorthand, at the offices of HEATHER L. GARZA,  CSR, RPR, The Woodlands, Texas, pursuant to the Texas  Rules of Civil Procedure and the provisions stated on  the record or attached hereto; that the deposition  shall be read and signed before any notary public.</p>	<p style="text-align: right;">Page 3</p> <p>1 VIDEOGRAPHER:  2 Ms. Kayla Brown  3  4 ALSO PRESENT:  5 Ms. Sonia Couillard, Interpreter  6 Mr. Christopher Cardaci  7  8  9  10  11  12  13  14  15  16  17  18  19  20  21  22  23  24  25</p>
<p style="text-align: right;">Page 2</p> <p>1 REMOTE APPEARANCES  2  3 FOR THE PLAINTIFF:  4 Mr. Mario Cisneros  5 BEGUM LAW GROUP  6 2401 Wildflower Drive, Suite B  7 Brownsville, Texas 78526  8 (210) 468-8810  9 advice@texaslegalgroup.com  10  11 FOR THE DEFENDANT SPACE EXPLORATION TECHNOLOGIES  12 CORP.:  13  14 Ms. Michelle D. Pector  15 MORGAN, LEWIS, BOCKIUS LLP  16 1000 Louisiana, Suite 4000  17 Houston, Texas 77002  18 (713) 890-5000  19 michelle.pector@morganlewis.com  20 -and-  21 Mr. David G. Oliveira  22 ROERIG, OLIVEIRA &amp; FISHER, LLP  23 10225 N. 10th Street  24 McAllen, Texas 78504  25 (956) 393-6300</p> <p>FOR THE DEFENDANT ARION MORSHEDIAN:  Mr. Scott P. Jones  BROCK GUERRA STRANDMO DIMALINE JONES, P.C.  17339 Redland Road  San Antonio, Texas 78247  (210) 979-0100  sjones@brock.law</p>	<p style="text-align: right;">Page 4</p> <p>1 EXAMINATION INDEX  2 WITNESS: HUGO MEDELLIN  3 EXAMINATION PAGE  4 BY MS. PECTOR 7  5 BY MR. JONES 153  6 SIGNATURE REQUESTED 157  7  8 REPORTER'S CERTIFICATION 158  9  10 EXHIBIT INDEX  11 PAGE  12 MEDELLIN EXHIBIT NO.1 12  13 Defendants' Notice of Intent to take  14 Oral and Videotaped Deposition of Hugo  15 Medellin  16 MEDELLIN EXHIBIT NO.2 17  17 Plaintiff's Amended Petition, Jury  18 Demand, Notice of Intent to Use  19 Documents Pursuant to Texas Rules of  20 Civil Procedure, Rule 193.7, and  21 Plaintiff's Request for Notice by  22 Defendant of Intent to Seek Admission of  23 Criminal Convictions of Witnesses  24 Pursuant to Texas Rules of Evidence  25 Rule 609(F)</p> <p>MEDELLIN EXHIBIT NO.3 71  Photograph  MEDELLIN EXHIBIT NO.4 74  Photograph  MEDELLIN EXHIBIT NO.5 76  Photograph  MEDELLIN EXHIBIT NO.6 77  Photograph</p>

<p style="text-align: right;">Page 37</p> <p>1 get to the client's address is when I grab my phone, 2 and I text the client. 3 <b>Q. You look at the app for directions while</b> 4 <b>you're driving, correct?</b> 5 A. Yes. 6 <b>Q. You would agree your eyes are not on the road</b> 7 <b>at all times when you're driving, correct?</b> 8 A. I would say no. 9 <b>Q. It's your testimony for -- to this jury that</b> 10 <b>when you are driving and looking at your directions</b> 11 <b>app, your eyes are on the road at the same time?</b> 12 A. I would say my answer was yes, and let me 13 tell you why. It's because my phone holder is on the 14 same height as my eyes so when I'm looking at it, I'm 15 looking, too, at the road at the same time. 16 <b>Q. Is it your testimony that you believe it's</b> 17 <b>safe to look at applications on your phone while</b> 18 <b>you're driving?</b> 19 A. I'm not looking at apps. I'm just looking at 20 the map to get there, and I would say that I'm just 21 looking at that map from the corner of my eyes without 22 taking my eyes off the road. 23 <b>Q. Is it your testimony that you believe it's</b> 24 <b>safe to look at maps while you're driving?</b> 25 MR. CISNEROS: Objection; form.</p>	<p style="text-align: right;">Page 39</p> <p>1 a few days after the accident because I didn't have a 2 car. 3 <b>Q. Where was your car?</b> 4 A. It was at my friend's house because she lives 5 close to the job. 6 <b>Q. You drove your car away from the scene after</b> 7 <b>the accident, correct?</b> 8 A. Yes. 9 <b>Q. You were capable of driving your car after</b> 10 <b>the accident, correct?</b> 11 A. Yes. 12 <b>Q. You did not request any medical attention at</b> 13 <b>the scene of the accident, correct?</b> 14 A. Correct. 15 <b>Q. You did not go see a doctor on the day of the</b> 16 <b>accident, correct?</b> 17 A. Correct. 18 <b>Q. You did not seek any type of medical</b> 19 <b>treatment on the day of the accident, correct?</b> 20 A. Correct. 21 <b>Q. After the accident, you went back to Domino's</b> 22 <b>Pizza, correct?</b> 23 A. Not back to work. 24 <b>Q. Where did you go?</b> 25 A. Well, I went back to the place, but I told</p>
<p style="text-align: right;">Page 38</p> <p>1 A. I would think that -- yes, I would think 2 that's safe because I have never collided because of 3 that. 4 <b>Q. (BY MS. PECTOR) How long have you been</b> 5 <b>working for Domino's Pizza?</b> 6 A. Three years. 7 <b>Q. During the three years that you've been</b> 8 <b>working for Domino's Pizza, it was routine for you to</b> 9 <b>look at your phone while you were making deliveries,</b> 10 <b>correct?</b> 11 A. Yes. 12 <b>Q. You are still working for Domino's Pizza</b> 13 <b>today, correct?</b> 14 A. Yes. 15 <b>Q. You're still performing the same job duties</b> 16 <b>that you performed at the time of the accident,</b> 17 <b>correct?</b> 18 A. Correct. 19 <b>Q. You're still working the same number of hours</b> 20 <b>now that you worked prior to the accident for</b> 21 <b>Domino's, correct?</b> 22 A. Correct. 23 <b>Q. Is it correct that you are not seeking any</b> 24 <b>lost wages in this case?</b> 25 A. To be honest with you, I stopped working for</p>	<p style="text-align: right;">Page 40</p> <p>1 them that I was not going to be able to work because I 2 was scared and I didn't feel well and after that, we 3 went to my friend's house. 4 <b>Q. You did go back to the Domino's Pizza store</b> 5 <b>after the accident, correct?</b> 6 <b>A. I didn't enter the building. I went to the</b> 7 <b>parking lot.</b> 8 <b>Q. Why did you go to the parking lot?</b> 9 A. To tell them that I was not going to be able 10 to work because I was not feeling good, but they were 11 the ones that came out, and they asked me how I was 12 feeling and I told them that I was not feeling good 13 and -- and they -- they were the ones that told me 14 that that was okay, that I should not worry about it. 15 <b>Q. Who did you speak to at Domino's?</b> 16 THE INTERPRETER: I'm sorry. The 17 interpreter did not hear him. 18 A. I talked to the manager assistant, one of 19 them. 20 <b>Q. (BY MS. PECTOR) What was the manager</b> 21 <b>assistant's name?</b> 22 A. Jesina Vasquez. 23 <b>Q. How do you spell her first name?</b> 24 A. Gosh, I -- it's, like, J-E-S-I-N-A. 25 <b>Q. Does Jesina Vasquez still work for Domino's</b></p>

10 (Pages 37 to 40)

<p style="text-align: right;">Page 49</p> <p>1 from their store, correct?</p> <p>2 MR. CISNEROS: Objection; form.</p> <p>3 A. I would say -- I would say no. That's the</p> <p>4 reason why I have insurance covering my car, and maybe</p> <p>5 when you are at the store, they have coverage.</p> <p>6 Q. (BY MS. PECTOR) You agree that when you're</p> <p>7 driving, that's your own personal responsibility,</p> <p>8 correct?</p> <p>9 MR. CISNEROS: Objection; form.</p> <p>10 A. I don't understand. You know, if I were the</p> <p>11 -- I were being boating in an accident, that would be</p> <p>12 my responsibility.</p> <p>13 Q. (BY MS. PECTOR) Did the driver in front of</p> <p>14 you assert any claims against you?</p> <p>15 A. I don't understand. What do you mean</p> <p>16 by "claims"?</p> <p>17 Q. The accident that you were involved in was a</p> <p>18 four-car accident, correct?</p> <p>19 A. Yes, correct.</p> <p>20 Q. The car in front of you was a Nissan,</p> <p>21 correct?</p> <p>22 A. I believe so.</p> <p>23 Q. Did the driver of that Nissan sue you for</p> <p>24 hitting him?</p> <p>25 A. No. He is aware that I was the one who got</p>	<p style="text-align: right;">Page 51</p> <p>1 correct?</p> <p>2 A. That, and also I have to help at the store.</p> <p>3 Q. What do you do at the store?</p> <p>4 A. Sometimes I have to answer phones, help with</p> <p>5 clients, and I do help some clients sometimes there at</p> <p>6 the store.</p> <p>7 Q. You are still able and capable of performing</p> <p>8 all those duties for Domino's, correct?</p> <p>9 A. Well, when I mentioned -- with what I</p> <p>10 mentioned, yes, I can do that, but in the past, I used</p> <p>11 to also help with the dishes and lifting dishes and</p> <p>12 that no longer -- I do no longer perform.</p> <p>13 Q. Do you have any paperwork from Domino's that</p> <p>14 shows any of your job duties changed?</p> <p>15 A. No.</p> <p>16 Q. Who is your manager or your boss at Domino's?</p> <p>17 A. His name is Alexis Sandoval.</p> <p>18 Q. Can you spell that?</p> <p>19 A. Alexis is spelled A-L-E-X-I-S, and Sandoval</p> <p>20 is S-A-N-D-O-V-A-L.</p> <p>21 Q. When the accident occurred, did you call</p> <p>22 anybody from the scene of the accident?</p> <p>23 A. Yes. I called the Domino's store.</p> <p>24 Q. Did you call them immediately after the</p> <p>25 accident?</p>
<p style="text-align: right;">Page 50</p> <p>1 hit, and that's the reason why everything happened.</p> <p>2 Q. You are aware that driver was not injured in</p> <p>3 the accident, correct?</p> <p>4 A. I don't know because that day, well, that was</p> <p>5 the only day when I saw him. I have not seen him</p> <p>6 after the accident.</p> <p>7 Q. Has that driver asked you to pay any of his</p> <p>8 damages to his vehicle?</p> <p>9 A. No.</p> <p>10 Q. You agree that if he were to ask you to pay</p> <p>11 for those damages, that Domino's would not be</p> <p>12 responsible, correct?</p> <p>13 A. I believe that.</p> <p>14 Q. Did Domino's provide you any training to be a</p> <p>15 pizza driver?</p> <p>16 A. Correct.</p> <p>17 Q. You were not provided with any training on</p> <p>18 how to drive by Domino's, correct?</p> <p>19 A. They showed me videos regarding how to drive.</p> <p>20 Q. What videos?</p> <p>21 A. Well, those are part of the welcome training</p> <p>22 videos that we have to watch, and that includes how to</p> <p>23 drive, to respect signs, respect speed limits, and all</p> <p>24 of that.</p> <p>25 Q. Driving is your job duty at Domino's,</p>	<p style="text-align: right;">Page 52</p> <p>1 A. I believe I called them maybe five to seven</p> <p>2 minutes after.</p> <p>3 Q. Who did you speak to?</p> <p>4 A. I don't recall at the moment.</p> <p>5 Q. Who else did you call?</p> <p>6 A. When I was at the scene of the accident,</p> <p>7 nobody else. I don't recall.</p> <p>8 Q. Did you call your wife?</p> <p>9 A. I don't think so. I didn't want to scare</p> <p>10 her.</p> <p>11 Q. Did you talk to the other drivers at the</p> <p>12 scene?</p> <p>13 A. Yes. You know, the driver that hit me, he</p> <p>14 just told me that he was -- he was sorry, and that</p> <p>15 there had been an accident. The driver that was in</p> <p>16 front of me, he was upset. He was just asking me why</p> <p>17 I had hit him, and he was -- until he saw what really</p> <p>18 happened, and it was then that he -- that is when he</p> <p>19 left me alone.</p> <p>20 Q. How did he see what really happened?</p> <p>21 A. The driver that was in front start -- got out</p> <p>22 of his car, and he was taking things out of his car,</p> <p>23 and from the distance saw the car that hit me.</p> <p>24 Q. Each of the drivers in the four vehicles were</p> <p>25 able to exit their vehicles after the accident,</p>

13 (Pages 49 to 52)

Page 53

- 1 correct?
- 2 A. Yes.
- 3 Q. Each of the drivers were able to walk around
- 4 the scene after the accident, correct?
- 5 A. Well, the one that had hit me, I didn't see
- 6 him at any point walking around the scene. Myself, I
- 7 stayed in my car for -- I didn't get out immediately.
- 8 I stayed in my car for, like, a couple minutes, and
- 9 then I got out and stood on the side. The one that
- 10 was in front, yeah, he was the one who got out of his
- 11 car almost sprinting out almost immediately, and the
- 12 third one, I don't think she got out of her car.
- 13 Nothing happened to her.
- 14 Q. Nobody needed medical attention at the scene,
- 15 correct?
- 16 A. Not in my opinion.
- 17 Q. No ambulance came to the scene, correct?
- 18 A. I don't think so.
- 19 Q. You did not overhear anyone asking for
- 20 medical help, correct?
- 21 A. No, I don't think so.
- 22 Q. Each of the drivers drove their vehicles away
- 23 from the scene, correct?
- 24 A. I don't know.
- 25 Q. You did not see any tow trucks take any

Page 54

- 1 vehicles from the scene, correct?
- 2 A. No.
- 3 Q. Were you the first to leave the scene?
- 4 A. No.
- 5 Q. What cars did you see drive away from the
- 6 scene before you left?
- 7 A. The pickup. That was the one that was in
- 8 front.
- 9 Q. There was no damage to the pickup, correct?
- 10 A. Just a small scratch.
- 11 Q. Nothing else, correct?
- 12 A. Correct.
- 13 Q. Did you see the vehicle in front of you leave
- 14 the scene?
- 15 A. No.
- 16 Q. You left first?
- 17 A. Before the car that was in front?
- 18 Q. Yes.
- 19 A. I believe so.
- 20 Q. You spoke to the officer who was at the
- 21 scene, correct?
- 22 A. Yes.
- 23 Q. You did not report any injury to him,
- 24 correct?
- 25 A. Correct.

Page 55

- 1 Q. How long were you at the scene after the
- 2 accident?
- 3 A. I believe less than an hour.
- 4 Q. Did you take any pictures at the scene?
- 5 A. Yes.
- 6 Q. Approximately how many pictures did you take?
- 7 A. Maybe four.
- 8 Q. What did you take pictures of?
- 9 A. I took pictures of the four cars, the four
- 10 cars that were in the accident.
- 11 Q. Do you still have those pictures?
- 12 A. The ones of my car, I believe so.
- 13 Q. Did you discard the pictures you took of the
- 14 accident?
- 15 A. I don't know. I have to check if they are
- 16 still there.
- 17 Q. Did you take any pictures of the drivers who
- 18 were involved in the accident?
- 19 A. No.
- 20 Q. Is it correct that you have not searched your
- 21 phone or other devices to see if you have pictures
- 22 from the accident?
- 23 A. Not in this month or this year.
- 24 Q. I'm going to instruct you, Mr. Medellin, to
- 25 preserve any photos that you have from the accident

Page 56

- 1 and to provide them to your counsel. Do you
- 2 understand that?
- 3 A. Yes.
- 4 Q. Mr. Medellin, were you wearing your seatbelt
- 5 at the time of the accident?
- 6 A. Yes.
- 7 MR. CISNEROS: We've been going for
- 8 about two hours. Can we take a 15-minute break,
- 9 please?
- 10 MS. PECTOR: Yeah, sure. Let me just
- 11 ask one more question, and then we can take a break.
- 12 Q. (BY MS. PECTOR) Did your airbag deploy after
- 13 the accident?
- 14 A. No.
- 15 MS. PECTOR: Okay. We can take a break.
- 16 How long do you need, Mario?
- 17 MR. CISNEROS: 15 minutes.
- 18 MS. PECTOR: Okay.
- 19 THE VIDEOGRAPHER: The time is 12:53
- 20 p.m. We're off the record.
- 21 (Break.)
- 22 THE VIDEOGRAPHER: The time is 1:12 p.m.
- 23 We're on the record.
- 24 Q. (BY MS. PECTOR) Mr. Medellin, we're back from
- 25 our break. Are you ready to proceed?

14 (Pages 53 to 56)

Page 157

1 I, HUGO MEDELLIN, have read the foregoing  
 2 deposition and hereby affix my signature that same is  
 3 true and correct, except as noted on the previous  
 4 page(s), and that I am signing this before a Notary  
 5 Public.  
 6  
 7 \_\_\_\_\_  
 8 HUGO MEDELLIN  
 9  
 10 STATE OF T E X A S \*  
 11 COUNTY OF \_\_\_\_\_ \*  
 12  
 13 Before me, \_\_\_\_\_, on  
 14 this day personally appeared HUGO MEDELLIN, known to  
 15 me, or proved to me under oath or through  
 16 \_\_\_\_\_ (description of identity card or  
 17 other document), to be the person whose name is  
 18 subscribed to the foregoing instrument and  
 19 acknowledged to me that they executed the same for the  
 20 purposes and consideration therein expressed.  
 21 Given under my hand and seal of office on  
 22 this, the \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
 23  
 24 \_\_\_\_\_  
 25 NOTARY PUBLIC IN AND FOR THE  
 STATE OF TEXAS  
 My Commission Expires: \_\_\_\_\_  
 \_\_\_\_\_  
 JOB NO. 72109

Page 159

1 That pursuant to information given to  
 2 the deposition officer at the time said testimony was  
 3 taken, the following includes counsel for all parties  
 4 of record:  
 5 Mr. Mario Cisneros, Attorney for Plaintiff.  
 6 Ms. Michelle D. Pector and Mr. David G.  
 7 Oliveira, Attorneys for Defendant Space Exploration  
 8 Technologies Corporation.  
 9 Mr. Scott P. Jones, Attorney for Defendant  
 10 Arion Morshedian.  
 11  
 12 I further certify that I am neither counsel for,  
 13 related to, nor employed by any of the parties or  
 14 attorneys in the action in which this proceeding was  
 15 taken, and further that I am not financially or  
 16 otherwise interested in the outcome of the action.  
 17 Further certification requirements pursuant to  
 18 Rule 203 of TRCP will be certified to after they have  
 19 occurred.  
 20 Certified to by me this 18th day of August, 2022.  
 21  
 22 \_\_\_\_\_  
 23 Heather L. Garza, CSR NO. 8262  
 24 Expiration Date: 04-30-24  
 25



Page 158

1 NO. 2021-CCL-00597  
 2  
 3 HUGO MEDELLIN, ) IN THE COUNTY COURT  
 4 )  
 5 Plaintiff, )  
 6 )  
 7 VS. ) AT LAW NO. 3  
 8 )  
 9 ARION MORSHEDIAN and )  
 10 SPACE EXPLORATION )  
 11 TECHNOLOGIES CORP., ) CAMERON COUNTY, TEXAS  
 12  
 13 REPORTER'S CERTIFICATION  
 14 ORAL AND VIDEOTAPED DEPOSITION OF HUGO MEDELLIN  
 15 AUGUST 2, 2022  
 16 I, Heather L. Garza, a Certified Shorthand  
 17 Reporter in and for the State of Texas, hereby certify  
 18 to the following:  
 19 That the witness, HUGO MEDELLIN, was remotely duly  
 20 sworn by the officer and that the transcript of the  
 21 oral deposition is a true record of the testimony  
 22 given by the witness;  
 23 That the deposition transcript was submitted on  
 24 \_\_\_\_\_, 2022, to the witness, or to the  
 25 attorney for the witness, for examination, signature,  
 and return to Worldwide Court Reporters, Inc., by  
 \_\_\_\_\_, 2022;  
 That the amount of time used by each party at the  
 deposition is as follows:  
 MS. PECTOR - 05:22:52  
 MR. CISNEROS - 00:00:00  
 MR. JONES - 00:04:50

Page 160

1 FURTHER CERTIFICATION BY COURT REPORTING FIRM  
 2 UNDER RULE 203 TRCP  
 3  
 4 The original deposition was \_\_\_\_\_ was not \_\_\_\_\_  
 5 returned to the deposition officer;  
 6 If returned, the attached Changes and Signature  
 7 page contains any changes and the reasons therefor;  
 8 If returned, the original deposition was delivered  
 9 to Ms. Michelle D. Pector, Custodial Attorney;  
 10 The deposition officer's charges for preparing  
 11 this deposition and any copies of exhibits are as  
 12 follows:  
 13 Court Costs \$ \_\_\_\_\_  
 14 To Be Paid By: Ms. Michelle D. Pector  
 15 That a copy of this certificate was served on all  
 16 parties shown herein and filed with the Clerk.  
 17 Certified to by me this \_\_\_\_\_ day of \_\_\_\_\_,  
 18 2022.  
 19  
 20 \_\_\_\_\_  
 21 Worldwide Court Reporters, Inc.  
 22 Firm Registration No. 223  
 23 3000 Wesleyan, Suite 235  
 24 Houston, TX 77027  
 25 713-572-2000

40 (Pages 157 to 160)